

# House Amendment 8650

PAG LIN

1 1 Amend House File 2734, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 [#1.](#) Page 1, line 13, by inserting after the word  
1 4 <elderly> the following: <only if the monthly cost  
1 5 per client for case management for the frail elderly  
1 6 services provided does not exceed an average of \$70>.  
1 7 [#2.](#) Page 1, line 23, by striking the figure  
1 8 <3,627,645> and inserting the following: <4,262,660>.  
1 9 [#3.](#) Page 1, line 34, by striking the figure  
1 10 <2,153,208> and inserting the following: <2,788,223>.  
1 11 [#4.](#) Page 2, line 1, by striking the figure  
1 12 <750,000> and inserting the following: <1,385,015>.  
1 13 [#5.](#) Page 2, line 10, by inserting after the word  
1 14 <exceed> the following: <an average of>.  
1 15 [#6.](#) Page 2, line 14, by inserting after the word  
1 16 <individuals.> the following: <Notwithstanding any  
1 17 provision to the contrary, any savings realized in  
1 18 case management for the frail elderly that is not  
1 19 provided under the medical assistance elderly waiver  
1 20 shall be used for services for the frail elderly which  
1 21 may include substitute decision-making services  
1 22 pursuant to chapter 231E.>  
1 23 [#7.](#) Page 3, line 19, by striking the figure  
1 24 <2,341,264> and inserting the following: <2,361,264>.  
1 25 [#8.](#) Page 3, line 20, by striking the figure <7.60>  
1 26 and inserting the following: <8.60>.  
1 27 [#9.](#) Page 4, by inserting after line 6 the  
1 28 following:  
1 29 <Of the funds appropriated in this subsection,  
1 30 \$20,000 shall be used to implement a pilot  
1 31 demonstration project, in cooperation with the  
1 32 department of human services and the department of  
1 33 elder affairs, that utilizes a web-based system to  
1 34 allow a common intake, case management, and referral  
1 35 system and provides linkages with existing software  
1 36 programs at minimal cost to the agencies involved.>  
1 37 [#10.](#) Page 4, line 11, by striking the figure  
1 38 <1,792,840> and inserting the following: <1,742,840>.  
1 39 [#11.](#) Page 4, line 12, by striking the figure  
1 40 <2.35> and inserting the following: <3.75>.  
1 41 [#12.](#) Page 4, line 17, by striking the figure  
1 42 <170,000> and inserting the following: <120,000>.  
1 43 [#13.](#) Page 4, line 33, by striking the figure  
1 44 <300,000> and inserting the following: <159,700>.  
1 45 [#14.](#) Page 4, line 35, by inserting after the word  
1 46 <Iowa> the following: <and \$140,300 is allocated for  
1 47 an initiative at the state mental health institute at  
1 48 Cherokee>.  
1 49 [#15.](#) Page 5, line 1, by striking the word  
1 50 <initiative> and inserting the following:  
2 1 <initiatives>.  
2 2 [#16.](#) Page 5, line 6, by striking the word  
2 3 <initiative> and inserting the following:  
2 4 <initiatives>.  
2 5 [#17.](#) Page 5, line 8, by striking the word  
2 6 <initiative> and inserting the following:  
2 7 <initiatives>.  
2 8 [#18.](#) Page 5, by striking lines 21 through 24 and  
2 9 inserting the following: <for counties not receiving  
2 10 federal funding for this purpose, \$80,000 is allocated  
2 11 to implement blood lead testing pursuant to section  
2 12 135.105A, as enacted in this Act, \$50,000 is allocated  
2 13 to continue the>.  
2 14 [#19.](#) Page 5, by striking lines 29 and 30 and  
2 15 inserting the following: <department shall select at  
2 16 least two local childhood lead poisoning programs to  
2 17 receive the amount allocated for lead hazard>.  
2 18 [#20.](#) Page 6, line 17, by striking the figure  
2 19 <7,891,473> and inserting the following: <7,941,473>.  
2 20 [#21.](#) Page 6, line 18, by striking the figure  
2 21 <112.80> and inserting the following: <113.80>.  
2 22 [#22.](#) Page 6, by striking lines 22 through 24 and  
2 23 inserting the following:  
2 24 <Of the funds appropriated in this subsection,

2 25 \$50,000 is allocated for increased costs of the office  
2 26 of the state medical examiner laboratory.>  
2 27 #23. Page 10, line 15, by striking the figure  
2 28 <17,827,536> and inserting the following:  
2 29 <17,128,861>.  
2 30 #24. Page 10, by inserting after line 15 the  
2 31 following:  
2 32 <2A. To be used for the family development and  
2 33 self=sufficiency grant program as provided under  
2 34 section 217.12 and this division of this Act:  
2 35 ..... \$ 2,698,675>  
2 36 #25. Page 10, line 17, by striking the figure  
2 37 <17,557,495> and inserting the following:  
2 38 <17,707,495>.  
2 39 #26. Page 10, by striking lines 18 through 20.  
2 40 #27. Page 12, by striking lines 20 through 22.  
2 41 #28. Page 13, line 28, by striking the figure  
2 42 <5,433,042> and inserting the following: <5,283,042>.  
2 43 #29. Page 14, by inserting after line 20 the  
2 44 following:  
2 45 <d. For the JOBS program:  
2 46 ..... \$ 23,968,620  
2 47 Of the funds allocated in this lettered paragraph,  
2 48 \$2,000,000 shall be used to maintain the mileage  
2 49 reimbursement rate for the JOBS program at the same  
2 50 rate used for the Medicaid program during the fiscal  
3 1 year.>  
3 2 #30. Page 14, line 32, by inserting after the word  
3 3 <investment,> the following: <JOBS, family  
3 4 development and self=sufficiency grant,>.  
3 5 #31. Page 15, line 8, by striking the figure  
3 6 <42,874,885> and inserting the following:  
3 7 <42,599,885>.  
3 8 #32. Page 15, line 9, by striking the figure  
3 9 <9,274,134> and inserting the following: <6,839,767>.  
3 10 #33. Page 15, by inserting after line 10 the  
3 11 following:  
3 12 <1A. Of the funds appropriated in this section,  
3 13 \$2,584,367 is allocated for the family development and  
3 14 self=sufficiency grant program as provided under  
3 15 section 217.12 and this division of this Act.>  
3 16 #34. Page 15, by striking lines 21 through 25.  
3 17 #35. Page 15, by striking line 26 and inserting  
3 18 the following:  
3 19 <4. Notwithstanding section 8.39, for the>.  
3 20 #36. Page 16, line 16, by inserting after the word  
3 21 <purposes.> the following: <The department shall  
3 22 report any transfers made pursuant to this subsection  
3 23 to the legislative services agency.>  
3 24 #37. Page 17, line 18, by striking the figure  
3 25 <708,121,610> and inserting the following:  
3 26 <652,311,610>.  
3 27 #38. By striking page 19, line 35, through page  
3 28 20, line 7, and inserting the following:  
3 29 <\_\_\_\_. The department shall apply to the centers  
3 30 for Medicare and Medicaid services of the United  
3 31 States department of health and human services to  
3 32 participate in the Medicaid transformation grants  
3 33 program as specified in section 6081 of the federal  
3 34 Deficit Reduction Act of 2005, Pub. L. No. 109=171,  
3 35 for adoption of innovative methods to improve the  
3 36 effectiveness and efficiency in providing medical  
3 37 assistance. The innovative methods may include but  
3 38 are not limited to the use of electronic health  
3 39 records and personal health records by health care  
3 40 professionals and consumers to address the health  
3 41 needs specific to populations including but not  
3 42 limited to persons with brain injury, persons with  
3 43 dual diagnoses of mental illness and mental  
3 44 retardation or substance abuse and mental illness, and  
3 45 children with chronic conditions; the use of  
3 46 diagnostic techniques that promote the early diagnosis  
3 47 and treatment of chronic disease in adults including  
3 48 physical and mental health, hepatitis, behavioral  
3 49 health, and cancer; and review of the physical and  
3 50 mental health status of the medical assistance  
4 1 population to more effectively integrate and determine  
4 2 public health strategies and interventions to reduce  
4 3 the incidence of preventable diseases and chronic  
4 4 conditions in the medical assistance population  
4 5 including but not limited to those related to obesity

4 6 and nutrition, smoking, and diabetes. The department  
4 7 shall submit a draft of the application to the medical  
4 8 assistance projections and assessment council for  
4 9 approval as expeditiously as possible, prior to  
4 10 submission to the centers for Medicare and Medicaid  
4 11 services of the United States department of health and  
4 12 human services. Any grant for which application is  
4 13 made under this subsection shall not require state  
4 14 matching funds. Any federal funding received shall be  
4 15 used in coordination with the purposes of the account  
4 16 for health care transformation pursuant to section  
4 17 252J.23 and shall be integrated with the IowaCare  
4 18 program pursuant to chapter 252J.>

4 19 #39. Page 20, by inserting after line 17 the  
4 20 following:

4 21 <\_\_\_\_. The department shall submit a medical  
4 22 assistance state plan amendment to the centers for  
4 23 Medicare and Medicaid services of the United States  
4 24 department of health and human services that is in  
4 25 substantially the form of the draft submitted by  
4 26 letter dated March 1, 2006, and published on the  
4 27 department website. The department shall adopt  
4 28 emergency rules effective July 1, 2006, to implement  
4 29 the state plan amendment.

4 30 \_\_\_\_\_. The department shall review the impact of the  
4 31 federal Deficit Reduction Act of 2005, Pub. L. No.  
4 32 109=171, on the state's medical assistance program  
4 33 reimbursement policy for multiple source prescription  
4 34 drug products and the Act's impact on participating  
4 35 pharmacies. The department shall submit a report,  
4 36 including recommendations relating to adjustments to  
4 37 the medical assistance program pharmacy dispensing  
4 38 fee, to the governor and the general assembly no later  
4 39 than January 1, 2007.>

4 40 #40. Page 22, line 31, by inserting after the  
4 41 figure <237A.26.> the following: <A list of the  
4 42 registered and licensed child care facilities  
4 43 operating in the area served by a child care resource  
4 44 and referral service shall be made available to the  
4 45 families receiving state child care assistance in that  
4 46 area.>

4 47 #41. Page 23, by striking lines 20 through 29 and  
4 48 inserting the following: <is transferred to the Iowa  
4 49 empowerment fund to be used for professional  
4 50 development for the system of early care, health, and  
5 1 education.>

5 2 #42. Page 24, by striking lines 18 through 20 and  
5 3 inserting the following: <the study group shall be  
5 4 provided by the department of human services. The  
5 5 study group membership shall also include but is>.

5 6 #43. Page 24, line 26, by inserting after the word  
5 7 <services,> the following: <a representative of the  
5 8 division of criminal and juvenile justice planning of  
5 9 the department of human rights,>.

5 10 #44. Page 24, line 35, by striking the figure  
5 11 <10,623,148> and inserting the following:  
5 12 <10,608,148>.

5 13 #45. Page 25, line 3, by striking the figure  
5 14 <40,000> and inserting the following: <25,000>.

5 15 #46. Page 25, line 18, by striking the figure  
5 16 <80,715,373> and inserting the following:  
5 17 <80,945,373>.

5 18 #47. Page 27, by striking lines 8 through 11 and  
5 19 inserting the following:

5 20 <Notwithstanding section 234.35 or any other  
5 21 provision of law to the contrary, for the fiscal year  
5 22 beginning July 1, 2006, state funding for shelter care  
5 23 shall be limited to the amount necessary to fund 273  
5 24 beds that are guaranteed and seven beds that are not  
5 25 guaranteed. The department shall submit an emergency  
5 26 services plan by December 15, 2006, to the persons  
5 27 designated by this division of this Act to receive  
5 28 reports. The plan shall identify crisis intervention  
5 29 and emergency services alternatives to shelter care  
5 30 and shall specify the numbers of shelter beds that are  
5 31 guaranteed and not guaranteed, as determined necessary  
5 32 by the department.>

5 33 #48. Page 30, line 31, by inserting after the word  
5 34 <"a"> the following: <and the juveniles' families>.

5 35 #49. Page 31, by inserting after line 22 the  
5 36 following:

5 37 <\_\_\_\_. Of the funds appropriated in this section,  
5 38 \$230,000 shall be used for a grant to a nonprofit  
5 39 human services organization providing services to  
5 40 individuals and families in multiple locations in  
5 41 southwest Iowa and Nebraska for support of a project  
5 42 providing immediate, sensitive support and forensic  
5 43 interviews, medical exams, needs assessments and  
5 44 referrals for victims of child abuse and their  
5 45 nonoffending family members.>  
5 46 #50. Page 32, line 32, by inserting after the  
5 47 figure <196,000> the following: <in the latest  
5 48 preceding certified federal census>.  
5 49 #51. Page 34, line 34, by striking the figure  
5 50 <5,979,344> and inserting the following: <6,179,344>.  
6 1 #52. Page 35, line 16, by striking the figure  
6 2 <1,071,074> and inserting the following: <1,046,074>.  
6 3 #53. Page 37, line 6, by striking the figure  
6 4 <10,586,619> and inserting the following:  
6 5 <12,286,619>.  
6 6 #54. Page 37, line 28, by striking the figure  
6 7 <17,757,890> and inserting the following:  
6 8 <18,017,890>.  
6 9 #55. Page 39, by inserting after line 3 the  
6 10 following:  
6 11 <6. Of the funds appropriated in this section,  
6 12 \$260,000 is allocated to the department for  
6 13 development of an assessment process for use beginning  
6 14 in a subsequent fiscal year as authorized specifically  
6 15 by a statute to be enacted in a subsequent fiscal  
6 16 year, determining on a consistent basis the needs and  
6 17 capacities of persons seeking or receiving mental  
6 18 health, mental retardation, developmental  
6 19 disabilities, or brain injury services that are paid  
6 20 for in whole or in part by the state or a county. The  
6 21 assessment process shall be developed with the  
6 22 involvement of counties and the mental health, mental  
6 23 retardation, developmental disabilities, and brain  
6 24 injury commission.>  
6 25 #56. Page 40, line 15, by striking the figure  
6 26 <14,028,679> and inserting the following:  
6 27 <14,528,679>.  
6 28 #57. Page 40, line 16, by striking the figure  
6 29 <309.00> and inserting the following: <311.00>.  
6 30 #58. Page 40, by inserting after line 25 the  
6 31 following:  
6 32 <3. Of the funds appropriated in this section,  
6 33 \$500,000 is allocated for salary and technical  
6 34 assistance expenses for the department to reestablish  
6 35 a separate division to which the appropriate  
6 36 departmental duties addressing mental health, mental  
6 37 retardation, developmental disabilities, and brain  
6 38 injury services shall be assigned.>  
6 39 #59. Page 41, line 34, by inserting after the word  
6 40 <The> the following: <skilled nursing facility market  
6 41 basket>.  
6 42 #60. Page 47, by inserting after line 22 the  
6 43 following:  
6 44 <Sec. \_\_\_\_\_. LOW=INCOME HOME ENERGY ASSISTANCE  
6 45 PROGRAM == SUPPLEMENTAL APPROPRIATION.  
6 46 1. There is appropriated from the general fund of  
6 47 the state to the division of community action agencies  
6 48 of the department of human rights for the fiscal year  
6 49 beginning July 1, 2005, and ending June 30, 2006, the  
6 50 following amount, or so much thereof as is necessary,  
7 1 to be used for the purpose designated:  
7 2 For supplementation of the appropriation made for  
7 3 the low-income home energy assistance program made in  
7 4 2005 Iowa Acts, chapter 164, section 10:  
7 5 ..... \$ 3,000,000  
7 6 2. Of the moneys appropriated in this section,  
7 7 \$150,000 shall not be expended in the fiscal year for  
7 8 which appropriated, but shall be transferred in the  
7 9 succeeding fiscal year to the department of human  
7 10 services to be used for the family development and  
7 11 self-sufficiency grant program. Notwithstanding  
7 12 section 8.33, moneys appropriated in this section that  
7 13 remain unencumbered or unobligated at the close of the  
7 14 fiscal year shall not revert but shall remain  
7 15 available for expenditure for the purposes designated  
7 16 until the close of the succeeding fiscal year.  
7 17 3. The legislative council is requested to

7 18 authorize a review of the low-income home energy  
7 19 assistance program and weatherization program by the  
7 20 fiscal committee of the legislative council or other  
7 21 body during the 2006 legislative interim. The issues  
7 22 reviewed shall include but are not limited to  
7 23 financial assistance, the application and intake  
7 24 processes, and the community action agencies  
7 25 assessment and resolution proposal. The review shall  
7 26 also include involving the department of human  
7 27 services in the administration of the programs to  
7 28 enable low-income persons to access additional  
7 29 assistance programs through a single location.>

7 30 #61. Page 47, by inserting before line 23 the  
7 31 following:

7 32 <Sec. \_\_\_\_\_. Section 16.183, subsections 1 and 3,  
7 33 Code 2005, are amended to read as follows:

7 34 1. A home and community-based services revolving  
7 35 loan program fund is created within the authority to  
7 36 further the goals specified in section 231.3, adult  
7 37 day services, respite services, ~~and~~ congregate meals,  
7 38 health and wellness, health screening, and nutritional  
7 39 assessments. The moneys in the home and  
7 40 community-based services revolving loan program fund  
7 41 shall be used by the authority for the development and  
7 42 operation of a revolving loan program to develop and  
7 43 expand facilities and infrastructure that provide  
7 44 adult day services, respite services, ~~and~~ congregate  
7 45 meals, and programming space for health and wellness,  
7 46 health screening, and nutritional assessments that  
7 47 address the needs of persons with low incomes.

7 48 3. The authority, in cooperation with the  
7 49 department of elder affairs, shall annually allocate  
7 50 moneys available in the home and community-based  
8 1 services revolving loan program fund to develop and  
8 2 expand facilities and infrastructure that provide  
8 3 adult day services, respite services, ~~and~~ congregate  
8 4 meals, and programming space for health and wellness,  
8 5 health screening, and nutritional assessments that  
8 6 address the needs of persons with low incomes.>

8 7 #62. Page 48, by inserting after line 35 the  
8 8 following:

8 9 <Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 175, section 9,  
8 10 unnumbered paragraph 2, is amended to read as follows:

8 11 For medical assistance reimbursement and associated  
8 12 costs as specifically provided in the reimbursement  
8 13 methodologies in effect on June 30, 2005, except as  
8 14 otherwise expressly authorized by law, including  
8 15 reimbursement for abortion services, which shall be  
8 16 available under the medical assistance program only  
8 17 for those abortions which are medically necessary:

8 18 ..... \$~~519,040,317~~  
8 19 538,040,317>

8 20 #63. Page 50, by striking lines 23 through 32 and  
8 21 inserting the following:

8 22 <Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 175, section  
8 23 22, is amended by adding the following new subsection:

8 24 NEW SUBSECTION. 2A. a. Notwithstanding sections  
8 25 8.33 and 222.92, of the revenues available to the  
8 26 state resource centers that remain unencumbered or  
8 27 unobligated at the close of the fiscal year the  
8 28 indicated amounts shall not revert but shall remain  
8 29 available for expenditure for the purposes designated  
8 30 until the close of the succeeding fiscal year:

8 31 (1) For the state resource center at Glenwood,  
8 32 \$1,250,000.

8 33 (2) For the state resource center at Woodward,  
8 34 \$750,000.

8 35 b. Of the amounts designated in paragraph "a",  
8 36 \$250,000 at each resource center shall be used to  
8 37 continue the procurement and installation of the  
8 38 electronic medical records system initiated in the  
8 39 fiscal year beginning July 1, 2005.>

8 40 #64. Page 50, line 35, by striking the figure  
8 41 <200,000> and inserting the following: <400,000>.

8 42 #65. Page 51, line 19, by striking the figure  
8 43 <167,042,326> and inserting the following:  
8 44 <168,156,999>.

8 45 #66. Page 51, line 35, by inserting after the  
8 46 words <adjust the> the following: <skilled nursing  
8 47 facility market basket>.

8 48 #67. Page 52, by inserting after line 3 the

8 49 following:  
8 50 <Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 175, section  
9 1 29, subsection 1, paragraph a, is amended by adding  
9 2 the following new subparagraph:  
9 3 NEW SUBPARAGRAPH. (4) For the period of April 1,  
9 4 2006, through June 30, 2006, the department shall  
9 5 apply one-third of the skilled nursing facility market  
9 6 basket index to the midpoint of the rate period  
9 7 beginning July 1, 2005. The department may adopt  
9 8 emergency rules to implement this subparagraph.>  
9 9 #68. Page 52, by inserting before line 4 the  
9 10 following:  
9 11 <Sec. \_\_\_\_\_. NONREVERSION == FY 2007=2008 BASE  
9 12 BUDGET. For purposes of the budget process under  
9 13 section 8.23 for the fiscal year beginning July 1,  
9 14 2007, the base budget amounts for the appropriations  
9 15 made to the department of human services for the  
9 16 purposes designated in this division of this Act shall  
9 17 be adjusted to include the amounts of the  
9 18 appropriations made for the same purposes for the  
9 19 fiscal year beginning July 1, 2005, that, pursuant to  
9 20 this division of this Act, do not revert and remain  
9 21 available for expenditure in the succeeding fiscal  
9 22 year.>  
9 23 #69. Page 52, by inserting after line 6 the  
9 24 following:  
9 25 <\_\_\_\_\_. The provision under the appropriation for  
9 26 medical assistance relating to the submission of a  
9 27 medical assistance state plan amendment to the centers  
9 28 for Medicare and Medicaid services of the United  
9 29 States department of health and human services.  
9 30 \_\_\_\_\_. The provision under the appropriation for  
9 31 medical assistance relating to the directive to the  
9 32 department of human services to apply for  
9 33 participation in the Medicaid transformation grants  
9 34 program as specified in the federal Deficit Reduction  
9 35 Act of 2005.>  
9 36 #70. Page 52, by inserting after line 11 the  
9 37 following:  
9 38 <1A. The provision enacting a supplemental  
9 39 appropriation to the department of human rights for  
9 40 purposes of the low-income home energy assistance  
9 41 program.>  
9 42 #71. Page 52, line 20, by striking the word  
9 43 <provision> and inserting the following:  
9 44 <provisions>.  
9 45 #72. Page 53, by inserting after line 4 the  
9 46 following:  
9 47 <Sec. \_\_\_\_\_. EFFECTIVE DATE == RETROACTIVE  
9 48 APPLICABILITY. The provision of this division of this  
9 49 Act amending 2005 Iowa Acts, chapter 175, section 29,  
9 50 subsection 1, paragraph "a", by enacting new  
10 1 subparagraph (4), being deemed of immediate  
10 2 importance, takes effect upon enactment and is  
10 3 retroactively applicable to April 1, 2006.>  
10 4 #73. Page 53, by inserting after line 6 the  
10 5 following:  
10 6 <ENDOWMENT FOR IOWA'S HEALTH ACCOUNT,>  
10 7 #74. Page 53, line 17, by inserting after the word  
10 8 <including> the following: <case management only if  
10 9 the monthly cost per client for case management for  
10 10 the frail elderly services provided does not exceed an  
10 11 average of \$70, and including>.  
10 12 #75. Page 53, line 31, by inserting after the word  
10 13 <exceed> the following: <an average of>.  
10 14 #76. Page 54, line 33, by striking the figure  
10 15 <40,000,000> and inserting the following:  
10 16 <65,000,000>.  
10 17 #77. Page 55, by inserting after line 23 the  
10 18 following:  
10 19 <Sec. \_\_\_\_\_. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT ==  
10 20 SENIOR LIVING TRUST FUND. There is appropriated from  
10 21 the endowment for Iowa's health account of the tobacco  
10 22 settlement trust fund created in section 12E.12 to the  
10 23 senior living trust fund created in section 249H.4 for  
10 24 the fiscal year beginning July 1, 2006, and ending  
10 25 June 30, 2007, the following amount:  
10 26 ..... \$ 25,000,000>  
10 27 #78. Page 57, line 25, by striking the figure  
10 28 <37,000,000> and inserting the following:  
10 29 <40,000,000>.

10 30 #79. Page 57, by inserting after line 25 the  
10 31 following:  
10 32 <Notwithstanding any provision of law to the  
10 33 contrary, of the amount appropriated in this  
10 34 subsection, \$37,000,000 shall be allocated in twelve  
10 35 equal monthly payments as provided in section 249J.24.  
10 36 Any amount appropriated in this subsection in excess  
10 37 of \$37,000,000 shall be allocated only if federal  
10 38 funds are available to match the amount allocated.>

10 39 #80. Page 59, by inserting after line 21 the  
10 40 following:  
10 41 <Notwithstanding section 8.39, subsection 1,  
10 42 without the prior written consent and approval of the  
10 43 governor and the director of the department of  
10 44 management, the director of human services may  
10 45 transfer funds among the appropriations made in this  
10 46 section, as necessary to carry out the purposes of the  
10 47 account for health care transformation. The  
10 48 department shall report any transfers made pursuant to  
10 49 this section to the legislative services agency.>

10 50 #81. Page 60, by inserting after line 23 the  
11 1 following:  
11 2 <Sec. \_\_\_\_\_. 2006 Iowa Acts, House File 2347,  
11 3 section 5, is amended to read as follows:  
11 4 SEC. 5. ~~APPROPRIATION TRANSFER~~ == HEALTH CARE  
11 5 TRANSFORMATION ACCOUNT. There is ~~appropriated~~  
11 6 ~~transferred~~ from the account for health care  
11 7 transformation created in section 249J.23, to the  
11 8 ~~department of human services IowaCare account created~~  
11 9 ~~in section 249J.24, \$2,000,000 for the fiscal year~~  
11 10 ~~beginning July 1, 2005, and ending June 30, 2006, the~~  
11 11 ~~following amount, or so much thereof as is necessary,~~  
11 12 ~~for the purposes designated:~~

11 13 ~~For payments to the university of Iowa hospitals~~  
11 14 ~~and clinics for provision of services pursuant to and~~  
11 15 ~~for costs associated with chapter 249J:~~  
11 16 ..... \$ 2,000,000

11 17 ~~Notwithstanding section 8.33, moneys appropriated~~  
11 18 ~~in this section that remain unencumbered or~~  
11 19 ~~unobligated at the close of the fiscal year shall not~~  
11 20 ~~revert, but shall remain available for expenditure for~~  
11 21 ~~the purposes designated until the close of the~~  
11 22 ~~succeeding fiscal year.~~

11 23 Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 167, section 63,  
11 24 subsection 1, is amended to read as follows:

11 25 1. There is appropriated from the ~~Iowacare~~  
11 26 ~~IowaCare~~ account created in section 249J.23 to the  
11 27 university of Iowa hospitals and clinics for the  
11 28 fiscal year beginning July 1, 2005, and ending June  
11 29 30, 2006, the following amount, or so much thereof as  
11 30 is necessary, to be used for the purposes designated:

11 31 For salaries, support, maintenance, equipment, and  
11 32 miscellaneous purposes, for the provision of medical  
11 33 and surgical treatment of indigent patients, for  
11 34 provision of services to members of the expansion  
11 35 population pursuant to chapter 249J, as enacted in  
11 36 this Act, and for medical education:  
11 37 ..... \$ 27,284,584  
11 38 ..... 37,862,932

11 39 ~~Notwithstanding any provision of this Act to the~~  
11 40 ~~contrary, of the amount appropriated in this~~  
11 41 ~~subsection, \$27,284,584 shall be allocated in twelve~~  
11 42 ~~equal monthly payments as provided in section 249J.23,~~  
11 43 ~~as enacted in this Act. Any amount appropriated in~~  
11 44 ~~this subsection in excess of \$27,284,584 shall be~~  
11 45 ~~allocated only if federal funds are available to match~~  
11 46 ~~the amount allocated. Notwithstanding section 8.33,~~  
11 47 ~~moneys appropriated in this subsection that remain~~  
11 48 ~~unencumbered or unobligated at the close of the fiscal~~  
11 49 ~~year shall not revert, but shall remain available for~~  
11 50 ~~expenditure for the purposes designated until the~~  
12 1 ~~close of the succeeding fiscal year.>~~

12 2 #82. Page 61, by inserting after line 9 the  
12 3 following:

12 4 <\_\_\_\_\_. The provision amending 2005 Iowa Acts,  
12 5 chapter 167, section 63.>

12 6 #83. Page 61, by inserting after line 12 the  
12 7 following:

12 8 <Sec. \_\_\_\_\_. EFFECTIVE DATE == RETROACTIVE  
12 9 APPLICABILITY. The section of this division of this  
12 10 Act amending 2006 Iowa Acts, House File 2347, section

12 11 5, being deemed of immediate importance, takes effect  
12 12 upon enactment and is retroactively applicable to  
12 13 March 9, 2006.>

12 14 #84. Page 61, by inserting after line 18 the  
12 15 following:

12 16 <Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 179, section 1,  
12 17 subsection 1, is amended to read as follows:

12 18 1. There is appropriated from the general fund of  
12 19 the state to the department of human services for the  
12 20 fiscal year beginning July 1, 2006, and ending June  
12 21 30, 2007, the following amount, or so much thereof as  
12 22 is necessary, to be used for the purpose designated:

12 23 For distribution to counties of the county mental  
12 24 health, mental retardation, and developmental  
12 25 disabilities allowed growth factor adjustment, as  
12 26 provided in this section in lieu of the provisions of  
12 27 section 331.438, subsection 2, and section 331.439,  
12 28 subsection 3, and chapter 426B:

12 29 ..... \$ ~~35,788,041~~  
12 30 38,888,041>

12 31 #85. Page 61, by striking lines 25 through 33 and  
12 32 inserting the following:

12 33 <Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 179, section 1,  
12 34 subsection 2, paragraphs b and c, are amended to read  
12 35 as follows:

12 36 b. For deposit in the per capita expenditure  
12 37 target pool created in the property tax relief fund  
12 38 and for distribution in accordance with section  
12 39 426B.5, subsection 1:

12 40 ..... \$ ~~19,361,148~~  
12 41 24,461,148

12 42 c. For deposit in the risk pool created in the  
12 43 property tax relief fund and for distribution in  
12 44 accordance with section 426B.5, subsection 2:

12 45 ..... \$ ~~2,000,000~~  
12 46 0>

12 47 #86. Page 62, line 14, by striking the figure  
12 48 <25,925,724> and inserting the following:  
12 49 <32,125,724>.

12 50 #87. Page 62, line 34, by inserting after the word  
13 1 <year.> the following: <If a county borrowed moneys  
13 2 for purposes of providing services from the county's  
13 3 services fund on or before July 1, 2005, and the  
13 4 county's services fund ending balance for that fiscal  
13 5 year includes the loan proceeds or an amount  
13 6 designated in the county budget to service the loan  
13 7 for the borrowed moneys, those amounts shall not be  
13 8 considered to be part of the county's ending balance  
13 9 for purposes of calculating an ending balance  
13 10 percentage under this subsection.>

13 11 #88. Page 63, line 22, by striking the figure  
13 12 <4,564,576> and inserting the following: <7,664,576>.

13 13 #89. Page 64, by inserting after line 4 the  
13 14 following:

13 15 <Sec. \_\_\_\_\_. Section 135.2, Code 2005, is amended to  
13 16 read as follows:

13 17 135.2 APPOINTMENT OF DIRECTOR AND ACTING DIRECTOR.

13 18 1. a. The governor shall appoint the director of  
13 19 the department, subject to confirmation by the senate.  
13 20 The director shall serve at the pleasure of the  
13 21 governor. The director is exempt from the merit  
13 22 system provisions of chapter 8A, subchapter IV. The  
13 23 governor shall set the salary of the director within  
13 24 the range established by the general assembly.

13 25 b. The director shall possess education and  
13 26 experience in public health.

13 27 2. The director may appoint an employee of the  
13 28 department to be acting director, who shall have all  
13 29 the powers and duties possessed by the director. The  
13 30 director may appoint more than one acting director but  
13 31 only one acting director shall exercise the powers and  
13 32 duties of the director at any time.

13 33 Sec. \_\_\_\_\_. NEW SECTION. 135.12 OFFICE OF  
13 34 MULTICULTURAL HEALTH == ESTABLISHED == DUTIES.  
13 35 The office of multicultural health is established  
13 36 within the department. The office shall be  
13 37 responsible for all of the following:

13 38 1. Providing comprehensive management strategies  
13 39 to address culturally and linguistically appropriate  
13 40 services, including strategic goals, plans, policies,  
13 41 and procedures, and designating staff responsible for

13 42 implementation.

13 43 2. Requiring and arranging for ongoing education  
13 44 and training for administrative, clinical, and other  
13 45 appropriate staff in culturally and linguistically  
13 46 competent health care and service delivery.

13 47 3. Utilizing formal mechanisms for community and  
13 48 consumer involvement and coordinating with other state  
13 49 agencies to identify resources and programs that  
13 50 affect the health service delivery systems.

14 1 Sec. \_\_\_\_ Section 135.22A, subsection 3, Code  
14 2 Supplement 2005, is amended to read as follows:

14 3 3. The council shall be composed of a minimum of  
14 4 nine members appointed by the governor in addition to  
14 5 the ex officio members, and the governor may appoint  
14 6 additional members. Insofar as practicable, the  
14 7 council shall include persons with brain injuries,  
14 8 family members of persons with brain injuries,  
14 9 representatives of industry, labor, business, and  
14 10 agriculture, representatives of federal, state, and  
14 11 local government, and representatives of religious,  
14 12 charitable, fraternal, civic, educational, medical,  
14 13 legal, veteran, welfare, and other professional groups  
14 14 and organizations. Members shall be appointed  
14 15 representing every geographic and employment area of  
14 16 the state and shall include members of both sexes. A  
14 17 simple majority of the members appointed by the  
14 18 governor shall constitute a quorum.

14 19 Sec. \_\_\_\_ Section 135.63, subsection 2, paragraph  
14 20 o, Code 2005, is amended to read as follows:

14 21 o. The change in ownership, licensure,  
14 22 organizational structure, or designation of the type  
14 23 of institutional health facility if the health  
14 24 services offered by the successor institutional health  
14 25 facility are unchanged. This exclusion is applicable  
14 26 only if the institutional health facility consents to  
14 27 the change in ownership, licensure, organizational  
14 28 structure, or designation of the type of institutional  
14 29 health facility and ceases offering the health  
14 30 services simultaneously with the initiation of the  
14 31 offering of health services by the successor  
14 32 institutional health facility.

14 33 Sec. \_\_\_\_ NEW SECTION. 135.105D BLOOD LEAD  
14 34 TESTING == PROVIDER EDUCATION == PAYOR OF LAST RESORT.

14 35 1. For purposes of this section:

14 36 a. "Blood lead testing" means taking a capillary  
14 37 or venous sample of blood and sending it to a  
14 38 laboratory to determine the level of lead in the  
14 39 blood.

14 40 b. "Capillary" means a blood sample taken from the  
14 41 finger or heel for lead analysis.

14 42 c. "Health care provider" means a physician who is  
14 43 licensed under chapter 148, 150, or 150A, or a person  
14 44 who is licensed as a physician assistant under chapter  
14 45 148C, or as an advanced registered nurse practitioner.

14 46 d. "Venous" means a blood sample taken from a vein  
14 47 in the arm for lead analysis.

14 48 2. The department shall work with health care  
14 49 provider associations to educate health care providers  
14 50 regarding requirements for testing children who are  
15 1 enrolled in certain federally funded programs and  
15 2 regarding department recommendations for testing other  
15 3 children for lead poisoning.

15 4 3. The department shall implement blood lead  
15 5 testing for children under six years of age who are  
15 6 not eligible for the testing services to be paid by a  
15 7 third-party source. The department shall contract  
15 8 with one or more public health laboratories to provide  
15 9 blood lead analysis for such children. The department  
15 10 shall establish by rule the procedures for health care  
15 11 providers to submit samples to the contracted public  
15 12 health laboratories for analysis. The department  
15 13 shall also establish by rule a method to reimburse  
15 14 health care providers for drawing blood samples from  
15 15 such children and the dollar amount that the  
15 16 department will reimburse health care providers for  
15 17 the service. Payment for blood lead analysis and  
15 18 drawing blood samples shall be limited to the amount  
15 19 appropriated for the program in a fiscal year.

15 20 Sec. \_\_\_\_ Section 135.109, subsection 3, paragraph  
15 21 b, Code 2005, is amended to read as follows:

15 22 b. A licensed physician or nurse who is

15 23 knowledgeable concerning domestic abuse injuries and  
15 24 deaths, including suicides.  
15 25 Sec. \_\_\_\_\_. Section 135.109, subsection 4, Code  
15 26 2005, is amended by adding the following new  
15 27 paragraph:  
15 28 NEW PARAGRAPH. j. The director of the state law  
15 29 enforcement academy.  
15 30 Sec. \_\_\_\_\_. Section 135.110, subsection 1, paragraph  
15 31 a, unnumbered paragraph 1, Code 2005, is amended to  
15 32 read as follows:  
15 33 Prepare ~~an annual~~ a biennial report for the  
15 34 governor, supreme court, attorney general, and the  
15 35 general assembly concerning the following subjects:  
15 36 Sec. \_\_\_\_\_. Section 135.140, subsection 6, paragraph  
15 37 a, Code Supplement 2005, is amended by adding the  
15 38 following new subparagraphs:  
15 39 NEW SUBPARAGRAPH. (6) A natural occurrence or  
15 40 incident, including but not limited to fire, flood,  
15 41 storm, drought, earthquake, tornado, or windstorm.  
15 42 NEW SUBPARAGRAPH. (7) A man-made occurrence or  
15 43 incident, including but not limited to an attack,  
15 44 spill, or explosion.  
15 45 Sec. \_\_\_\_\_. Section 137.6, subsection 2, paragraph  
15 46 a, Code 2005, is amended to read as follows:  
15 47 a. Rules of a county board shall become effective  
15 48 upon approval by the county board of supervisors by a  
15 49 motion or resolution as defined in section 331.101,  
15 50 subsection 13, and publication in a newspaper having  
16 1 general circulation in the county.  
16 2 Sec. \_\_\_\_\_. NEW SECTION. 139A.13A ISOLATION OR  
16 3 QUARANTINE == EMPLOYMENT PROTECTION.  
16 4 1. An employer shall not discharge an employee, or  
16 5 take or fail to take action regarding an employee's  
16 6 promotion or proposed promotion, or take action to  
16 7 reduce an employee's wages or benefits for actual time  
16 8 worked, due to the compliance of an employee with a  
16 9 quarantine or isolation order issued by the department  
16 10 or a local board.  
16 11 2. An employee whose employer violates this  
16 12 section may petition the court for imposition of a  
16 13 cease and desist order against the person's employer  
16 14 and for reinstatement to the person's previous  
16 15 position of employment. This section does not create  
16 16 a private cause of action for relief of money damages.  
16 17 Sec. \_\_\_\_\_. Section 147.82, subsection 3, Code  
16 18 Supplement 2005, is amended to read as follows:  
16 19 3. The department may annually retain and expend  
16 20 not more than one hundred thousand dollars for  
16 21 reduction of the number of days necessary to process  
16 22 medical license requests and for reduction of the  
16 23 number of days needed for consideration of malpractice  
16 24 cases from fees collected pursuant to section 147.80  
16 25 by the board of medical examiners ~~in the fiscal year~~  
16 26 ~~beginning July 1, 2005, and ending June 30, 2006.~~  
16 27 Fees retained by the department pursuant to this  
16 28 subsection shall be considered repayment receipts as  
16 29 defined in section 8.2 and shall be used for the  
16 30 purposes described in this subsection.  
16 31 Sec. \_\_\_\_\_. Section 147.153, subsection 3, Code  
16 32 2005, is amended to read as follows:  
16 33 3. Pass an examination ~~administered as determined~~  
16 34 ~~by the board to assure the applicant's professional~~  
16 35 ~~competence in speech pathology or audiology by rule.~~  
16 36 Sec. \_\_\_\_\_. Section 147.155, Code 2005, is amended  
16 37 to read as follows:  
16 38 147.155 TEMPORARY CLINICAL LICENSE.  
16 39 Any person who has fulfilled all of the  
16 40 requirements for licensure under this division, except  
16 41 for having completed the nine months clinical  
16 42 experience requirement as provided in section 147.153,  
16 43 subsection 1 or 2, and the examination as provided in  
16 44 section 147.153, subsection 3, may apply to the board  
16 45 for a temporary clinical license. The license shall  
16 46 be designated "temporary clinical license in speech  
16 47 pathology" or "temporary clinical license in  
16 48 audiology" and shall authorize the licensee to  
16 49 practice speech pathology or audiology under the  
16 50 supervision of a licensed speech pathologist or  
17 1 licensed audiologist, as appropriate. The license  
17 2 shall be valid for one year and may be renewed once at  
17 3 the discretion of the board. The fee for a temporary

17 4 clinical license shall be set by the board to cover  
17 5 the administrative costs of issuing the license, and  
17 6 if renewed, a renewal fee as set by the board shall be  
17 7 required. A temporary clinical license shall be  
17 8 issued only upon evidence satisfactory to the board  
17 9 that the applicant will be supervised by a person  
17 10 licensed as a speech pathologist or audiologist, as  
17 11 appropriate. ~~The board shall revoke any temporary~~  
~~17 12 clinical license at any time it determines either that~~  
~~17 13 the work done by the temporary clinical licensee or~~  
~~17 14 the supervision being given the temporary clinical~~  
~~17 15 licensee does not conform to reasonable standards~~  
~~17 16 established by the board.~~

17 17 Sec. \_\_\_\_ NEW SECTION. 147A.15 AUTOMATED  
17 18 EXTERNAL DEFIBRILLATOR EQUIPMENT == PENALTY.

17 19 Any person who damages, wrongfully takes or  
17 20 withholds, or removes any component of automated  
17 21 external defibrillator equipment located in a public  
17 22 or privately owned location, including batteries  
17 23 installed to operate the equipment, is guilty of a  
17 24 serious misdemeanor.

17 25 Sec. \_\_\_\_ Section 148.2, subsection 5, Code 2005,  
17 26 is amended to read as follows:

17 27 5. Physicians and surgeons of the United States  
17 28 army, navy, ~~or air force, marines,~~ public health  
17 29 service, ~~or other uniformed service~~ when acting in the  
17 30 line of duty in this state, and holding a current,  
17 31 active permanent license in good standing in another  
17 32 state, district, or territory of the United States, or  
17 33 physicians and surgeons licensed in another state,  
17 34 when incidentally called into this state in  
17 35 consultation with a physician and surgeon licensed in  
17 36 this state.

17 37 Sec. \_\_\_\_ Section 149.3, Code 2005, is amended to  
17 38 read as follows:

17 39 149.3 LICENSE.

17 40 Every applicant for a license to practice podiatry  
17 41 shall:

- 17 42 1. Be a graduate of an accredited ~~high school of~~  
17 43 podiatry.
- 17 44 2. Present ~~a diploma~~ an official transcript issued  
17 45 by a school of podiatry approved by the board of  
17 46 podiatry examiners.
- 17 47 3. Pass an examination ~~in the subjects of anatomy,~~  
~~17 48 chemistry, dermatology, diagnosis, pharmacy and~~  
~~17 49 materia medica, pathology, physiology, histology,~~  
~~17 50 bacteriology, neurology, practical and clinical~~  
18 1 podiatry, foot orthopedics, and others, as prescribed  
18 2 by the board of podiatry examiners as determined by  
18 3 the board by rule.
- 18 4 4. Have successfully completed a ~~one-year~~  
18 5 residency ~~or preceptorship approved by the board of~~  
~~18 6 podiatry examiners as determined by the board by rule.~~

18 7 This subsection applies to all applicants who graduate  
18 8 from podiatric college on or after January 1, 1995.

18 9 Sec. \_\_\_\_ Section 149.7, unnumbered paragraph 2,  
18 10 Code 2005, is amended to read as follows:

18 11 The temporary certificate shall be issued for one  
18 12 year and may be renewed, but a person shall not be  
18 13 entitled to practice podiatry in excess of three years  
18 14 while holding a temporary certificate. The fee for  
18 15 this certificate shall be set by the podiatry  
18 16 examiners and if extended beyond one year a renewal  
18 17 fee per year shall be set by the podiatry examiners.  
18 18 The fees shall be based on the administrative costs of  
18 19 issuing and renewing the certificates. ~~The podiatry~~  
~~18 20 examiners may cancel a temporary certificate at any~~  
~~18 21 time, without a hearing, for reasons deemed sufficient~~  
~~18 22 to the podiatry examiners.~~

18 23 Sec. \_\_\_\_ Section 149.7, unnumbered paragraphs 3  
18 24 and 4, Code 2005, are amended by striking the  
18 25 unnumbered paragraphs.

18 26 Sec. \_\_\_\_ Section 151.12, Code 2005, is amended to  
18 27 read as follows:

18 28 151.12 TEMPORARY CERTIFICATE.

18 29 The chiropractic examiners may, in their  
18 30 discretion, issue a temporary certificate authorizing  
18 31 the licensee to practice chiropractic if, in the  
18 32 opinion of the chiropractic examiners, a need exists  
18 33 and the person possesses the qualifications prescribed  
18 34 by the chiropractic examiners for the license, which

18 35 shall be substantially equivalent to those required  
18 36 for licensure under this chapter. The chiropractic  
18 37 examiners shall determine in each instance those  
18 38 eligible for this license, whether or not examinations  
18 39 shall be given, ~~and~~ the type of examinations, ~~and the~~  
18 40 ~~duration of the license.~~ No requirements of the law  
18 41 pertaining to regular permanent licensure are  
18 42 mandatory for this temporary license except as  
18 43 specifically designated by the chiropractic examiners.  
18 44 The granting of a temporary license does not in any  
18 45 way indicate that the person so licensed is eligible  
18 46 for regular licensure, nor are the chiropractic  
18 47 examiners in any way obligated to so license the  
18 48 person.

18 49 The temporary certificate shall be issued for one  
18 50 year and at the discretion of the chiropractic  
19 1 examiners may be renewed, but a person shall not  
19 2 practice chiropractic in excess of three years while  
19 3 holding a temporary certificate. The fee for this  
19 4 license shall be set by the chiropractic examiners and  
19 5 if extended beyond one year a renewal fee per year  
19 6 shall be set by the chiropractic examiners. The ~~fees~~  
19 7 ~~fee for the temporary license~~ shall be based on the  
19 8 administrative costs of issuing ~~and renewing~~ the  
19 9 licenses. ~~The chiropractic examiners may cancel a~~  
~~19 10 temporary certificate at any time, without a hearing,~~  
~~19 11 for reasons deemed sufficient to the chiropractic~~  
~~19 12 examiners.~~

~~19 13 When the chiropractic examiners cancel a temporary~~  
~~19 14 certificate they shall promptly notify the licensee by~~  
~~19 15 registered mail, at the licensee's last-named address,~~  
~~19 16 as reflected by the files of the chiropractic~~  
~~19 17 examiners, and the temporary certificate is terminated~~  
~~19 18 and of no further force and effect three days after~~  
~~19 19 the mailing of the notice to the licensee.~~

~~19 20 Sec. \_\_\_\_.~~ Section 154.3, subsection 1, Code 2005,  
19 21 is amended to read as follows:

19 22 1. Every applicant for a license to practice  
19 23 optometry shall:

~~19 24 a. Present satisfactory evidence of a preliminary~~  
~~19 25 education equivalent to at least four years study in~~  
~~19 26 an accredited high school or other secondary school.~~  
19 27 Be a graduate of an accredited school of optometry.

~~19 28 b. Present a diploma from an official transcript~~  
~~19 29 issued by an accredited school of optometry.~~

~~19 30 c. Pass an examination prescribed by the optometry~~  
~~19 31 examiners in the subjects of physiology of the eye,~~  
~~19 32 optical physics, anatomy of the eye, ophthalmology,~~  
~~19 33 and practical optometry as determined by the board by~~  
19 34 rule.

19 35 Sec. \_\_\_\_.

19 36 Section 154B.6, subsection 3, Code 2005,  
19 37 is amended to read as follows:

19 38 3. Have not failed the examination required in  
19 39 subsection 2 within ~~the six months next~~ sixty days  
19 40 preceding the date of the subsequent examination.

19 41 The examinations required in this section may, at  
19 42 the discretion of the board, be waived for holders by  
19 43 examination of licenses or certificates from states  
19 44 whose requirements are substantially equivalent to  
19 45 those of this chapter, and for holders by examination  
19 46 of specialty diplomas from the American board of  
19 47 professional psychology.

~~19 48 Any person who within one year after July 1, 1975,~~  
~~19 49 meets the requirements specified in subsection 1 shall~~  
~~19 50 receive licensure without having passed the~~  
~~20 1 examination required in subsection 2 if application~~  
~~20 2 for licensure is filed with the board of psychology~~  
~~20 3 examiners before July 1, 1977. Any person holding a~~  
~~20 4 certificate as a psychologist from the board of~~  
~~20 5 examiners of the Iowa psychological association on~~  
~~20 6 July 1, 1977, who applies for certification before~~  
~~20 7 July 1, 1975, shall receive certification.~~

20 8 Sec. \_\_\_\_.

20 9 Section 154D.2, subsection 2, paragraph  
20 10 b, Code Supplement 2005, is amended to read as  
20 11 follows:

20 12 b. Has at least two years of supervised clinical  
20 13 experience or its equivalent in assessing mental  
20 14 health needs and problems and in providing appropriate  
20 15 mental health services as approved by the board.  
20 16 Standards for supervision, including the required  
20 17 qualifications for supervisors, shall be determined by

20 16 the board by rule.  
20 17 Sec. \_\_\_\_\_. NEW SECTION. 154E.3A TEMPORARY  
20 18 LICENSE.  
20 19 Beginning July 1, 2007, an individual who does not  
20 20 meet the requirements for licensure by examination  
20 21 pursuant to section 154E.3 may apply for or renew a  
20 22 temporary license. The temporary license shall  
20 23 authorize the licensee to practice as a sign language  
20 24 interpreter or transliterator under the direct  
20 25 supervision of a sign language interpreter or  
20 26 transliterator licensed pursuant to section 154E.3.  
20 27 The temporary license shall be valid for two years and  
20 28 may only be renewed one time in accordance with  
20 29 standards established by rule. An individual shall  
20 30 not practice for more than a total of four years under  
20 31 a temporary license. The board may revoke a temporary  
20 32 license if it determines that the temporary licensee  
20 33 has violated standards established by rule. The board  
20 34 may adopt requirements for temporary licensure to  
20 35 implement this section.  
20 36 Sec. \_\_\_\_\_. Section 154E.4, subsection 2, Code  
20 37 Supplement 2005, is amended by adding the following  
20 38 new paragraph:  
20 39 NEW PARAGRAPH. e. Students enrolled in a school  
20 40 of interpreting may interpret only under the direct  
20 41 supervision of a permanently licensed interpreter as  
20 42 part of the student's course of study.  
20 43 Sec. \_\_\_\_\_. Section 157.2, subsection 1, paragraph  
20 44 e, Code Supplement 2005, is amended to read as  
20 45 follows:  
20 46 e. Employees ~~and residents~~ of hospitals, health  
20 47 care facilities, orphans' homes, juvenile homes, and  
20 48 other similar facilities who ~~shampoo, arrange, dress,~~  
~~20 49 or curl the hair of~~ perform cosmetology services for  
20 50 any resident without receiving direct compensation  
21 1 from the person receiving the service.  
21 2 Sec. \_\_\_\_\_. Section 157.2, subsection 1, Code  
21 3 Supplement 2005, is amended by adding the following  
21 4 new paragraph:  
21 5 NEW PARAGRAPH. ee. Volunteers for and residents  
21 6 of health care facilities, orphans' homes, juvenile  
21 7 homes, and other similar facilities who shampoo,  
21 8 arrange, dress, or curl the hair, apply makeup, or  
21 9 polish the nails of any resident without receiving  
21 10 compensation from the person receiving the service.  
21 11 Sec. \_\_\_\_\_. Section 157.10, subsection 1, Code 2005,  
21 12 is amended to read as follows:  
21 13 1. The course of study required for licensure for  
21 14 the practice of cosmetology shall be two thousand one  
21 15 hundred clock hours, or seventy semester credit hours  
21 16 or the equivalent thereof as determined pursuant to  
21 17 administrative rule and regulations promulgated by the  
21 18 United States department of education. The clock  
21 19 hours, and equivalent number of semester credit hours  
21 20 or the equivalent thereof as determined pursuant to  
21 21 administrative rule and regulations promulgated by the  
21 22 United States department of education, of a course of  
21 23 study required for licensure for the practices of  
21 24 electrology, esthetics, ~~and~~ nail technology,  
~~21 25 manicuring, and pedicuring~~ shall be established by the  
21 26 board. The board shall adopt rules to define the  
21 27 course and content of study for each practice of  
21 28 cosmetology arts and sciences.  
21 29 Sec. \_\_\_\_\_. Section 157.13, subsection 1, Code  
21 30 Supplement 2005, is amended by striking the subsection  
21 31 and inserting in lieu thereof the following:  
21 32 1. It is unlawful for a person to employ an  
21 33 individual to practice cosmetology arts and sciences  
21 34 unless that individual is licensed or has obtained a  
21 35 temporary permit under this chapter. It is unlawful  
21 36 for a licensee to practice with or without  
21 37 compensation in any place other than a licensed salon,  
21 38 a licensed school of cosmetology arts and sciences, or  
21 39 a licensed barbershop as defined in section 158.1.  
21 40 The following exceptions to this subsection shall  
21 41 apply:  
21 42 a. A licensee may practice at a location which is  
21 43 not a licensed salon, school of cosmetology arts and  
21 44 sciences, or licensed barbershop under extenuating  
21 45 circumstances arising from physical or mental  
21 46 disability or death of a customer.

21 47 b. Notwithstanding section 157.12, when the  
21 48 licensee is employed by a physician and provides  
21 49 cosmetology services at the place of practice of a  
21 50 physician and is under the supervision of a physician  
22 1 licensed to practice pursuant to chapter 148, 150, or  
22 2 150A.

22 3 c. When the practice occurs in a facility licensed  
22 4 pursuant to chapter 135B or 135C.

22 5 Sec. \_\_\_\_\_. Section 157.13, Code Supplement 2005, is  
22 6 amended by adding the following new subsection:  
22 7 NEW SUBSECTION. 1A. It is unlawful for a licensee  
22 8 to claim to be a licensed barber, however a licensed  
22 9 cosmetologist may work in a licensed barbershop. It  
22 10 is unlawful for a person to employ a licensed  
22 11 cosmetologist, esthetician, or electrologist to  
22 12 perform the services described in section 157.3A if  
22 13 the licensee has not received the additional training  
22 14 and met the other requirements specified in section  
22 15 157.3A.>

22 16 #90. Page 64, by inserting after line 34 the  
22 17 following:  
22 18 <Sec. \_\_\_\_\_. Section 237A.5, subsection 2, paragraph  
22 19 a, subparagraph (1), Code 2005, is amended to read as  
22 20 follows:  
22 21 (1) "Person subject to ~~an evaluation~~ a record  
22 22 check" means a person ~~who has committed a~~  
~~22 23 transgression~~ and who is described by any of the  
22 24 following:  
22 25 (a) The person is being considered for licensure  
22 26 or registration or is registered or licensed under  
22 27 this chapter.  
22 28 (b) The person is being considered by a child care  
22 29 facility for employment involving direct  
22 30 responsibility for a child or with access to a child  
22 31 when the child is alone or is employed with such  
22 32 responsibilities.  
22 33 (c) The person will reside or resides in a child  
22 34 care facility.  
22 35 (d) The person has applied for or receives public  
22 36 funding for providing child care.  
22 37 (e) The person will reside or resides in a child  
22 38 care home that is not registered under this chapter  
22 39 but that receives public funding for providing child  
22 40 care.

22 41 Sec. \_\_\_\_\_. Section 237A.5, subsection 2, paragraph  
22 42 a, Code 2005, is amended by adding the following new  
22 43 subparagraph:  
22 44 NEW SUBPARAGRAPH. (1A) "Person subject to an  
22 45 evaluation" means a person subject to a record check  
22 46 whose record indicates that the person has committed a  
22 47 transgression.

22 48 Sec. \_\_\_\_\_. Section 237A.5, subsection 2, Code 2005,  
22 49 is amended by adding the following new paragraph:  
22 50 NEW PARAGRAPH. aa. If an individual person  
23 1 subject to a record check is being considered for  
23 2 employment by a child care facility or child care  
23 3 home, in lieu of requesting a record check to be  
23 4 conducted by the department under paragraph "b", the  
23 5 child care facility or child care home may access the  
23 6 single contact repository established pursuant to  
23 7 section 135C.33 as necessary to conduct a criminal and  
23 8 child abuse record check of the individual. A copy of  
23 9 the results of the record check conducted through the  
23 10 single contact repository shall also be provided to  
23 11 the department. If the record check indicates the  
23 12 individual is a person subject to an evaluation, the  
23 13 child care facility or child care home may request  
23 14 that the department perform an evaluation as provided  
23 15 in this subsection. Otherwise, the individual shall  
23 16 not be employed by the child care facility or child  
23 17 care home.

23 18 Sec. \_\_\_\_\_. Section 237A.5, subsection 2, paragraph  
23 19 b, Code 2005, is amended to read as follows:  
23 20 b. ~~The~~ Unless a record check has already been  
23 21 conducted in accordance with paragraph "aa", the  
~~23 22 department shall conduct a criminal and child abuse~~  
23 23 ~~record checks~~ check in this state for a person who is  
23 24 subject to a record check and may conduct ~~these checks~~  
23 25 such a check in other states. In addition, the  
23 26 department may conduct a dependent adult abuse, sex  
23 27 offender registry, ~~and~~ or other public or civil

23 28 offense record ~~checks~~ check in this state or in other  
23 29 states for a person who is subject to a record check.  
23 30 If ~~the department a record check performed pursuant to~~  
23 31 ~~this paragraph~~ identifies an individual as a person  
23 32 subject to an evaluation, an evaluation shall be  
23 33 performed to determine whether prohibition of the  
23 34 person's involvement with child care is warranted.  
23 35 The evaluation shall be performed in accordance with  
23 36 procedures adopted for this purpose by the department.

23 37 Prior to performing an evaluation, the department  
23 38 shall notify the affected person, licensee,  
23 39 registrant, or child care home applying for or  
23 40 receiving public funding for providing child care,  
23 41 that an evaluation will be conducted to determine  
23 42 whether prohibition of the person's involvement with  
23 43 child care is warranted.>

23 44 #91. Page 64, by inserting before line 35 the  
23 45 following:  
23 46 <Sec. \_\_\_\_\_. Section 249J.5, Code Supplement 2005,  
23 47 is amended by adding the following new subsection:  
23 48 NEW SUBSECTION. 9. Following initial enrollment,  
23 49 an expansion population member shall reenroll annually  
23 50 by the last day of the month preceding the month in  
24 1 which the expansion population member initially  
24 2 enrolled. The department may provide a process for  
24 3 automatic reenrollment of expansion population  
24 4 members.>

24 5 #92. Page 65, by striking lines 2 through 17 and  
24 6 inserting the following:  
24 7 <a. ~~Beginning no later than March 1, 2006, within~~  
24 8 ~~ninety days of enrollment in the expansion population,~~  
24 9 ~~each~~ Each expansion population member who enrolls or  
24 10 reenrolls in the expansion population on or after  
24 11 January 31, 2007, shall participate, in conjunction  
24 12 with receiving a single comprehensive medical  
24 13 examination and completing a personal health  
24 14 improvement plan, in a health risk assessment  
24 15 coordinated by a health consortium representing  
24 16 providers, consumers, and medical education  
24 17 institutions. ~~An expansion population member who~~  
24 18 ~~enrolls in the expansion population prior to March 1,~~  
24 19 ~~2006, shall participate in the health risk assessment,~~  
24 20 ~~receive the single comprehensive medical examination,~~  
24 21 ~~and complete the personal health improvement plan by~~  
24 22 ~~June 1, 2006.~~ The criteria for the health risk  
24 23 assessment, the comprehensive medical examination, and  
24 24 the personal health improvement plan shall be  
24 25 developed and applied in a manner that takes into  
24 26 consideration cultural variations that may exist  
24 27 within the expansion population.>

24 28 #93. Page 65, by inserting after line 24 the  
24 29 following:  
24 30 <Sec. \_\_\_\_\_. Section 249J.6, subsection 2, Code  
24 31 Supplement 2005, is amended by adding the following  
24 32 new paragraphs:  
24 33 NEW PARAGRAPH. d. Following completion of an  
24 34 initial health risk assessment, comprehensive medical  
24 35 examination, and personal health improvement plan, an  
24 36 expansion population member may complete subsequent  
24 37 assessments, examinations, or plans with the  
24 38 recommendation and approval of a provider specified in  
24 39 paragraph "c".

24 40 NEW PARAGRAPH. e. Refusal of an expansion  
24 41 population member to participate in a health risk  
24 42 assessment, comprehensive medical examination, or  
24 43 personal health improvement plan shall not be a basis  
24 44 for ineligibility for or disenrollment from the  
24 45 expansion population.

24 46 Sec. \_\_\_\_\_. Section 249J.8, subsections 1 and 2,  
24 47 Code Supplement 2005, are amended to read as follows:  
24 48 1. Beginning July 1, 2005, each expansion  
24 49 population member whose family income equals or  
24 50 exceeds one hundred percent of the federal poverty  
25 1 level as defined by the most recently revised poverty  
25 2 income guidelines published by the United States  
25 3 department of health and human services shall pay a  
25 4 monthly premium not to exceed one-twelfth of five  
25 5 percent of the member's annual family income, and each  
25 6 expansion population member whose family income is  
25 7 less than one hundred percent of the federal poverty  
25 8 level as defined by the most recently revised poverty

25 9 income guidelines published by the United States  
25 10 department of health and human services shall pay a  
25 11 monthly premium not to exceed one-twelfth of two  
25 12 percent of the member's annual family income. All  
25 13 premiums shall be paid on the last day of the month of  
25 14 coverage. The department shall deduct the amount of  
25 15 any monthly premiums paid by an expansion population  
25 16 member for benefits under the healthy and well kids in  
25 17 Iowa program when computing the amount of monthly  
25 18 premiums owed under this subsection. An expansion  
25 19 population member shall pay the monthly premium during  
25 20 the entire period of the member's enrollment.  
25 21 ~~However, regardless~~ Regardless of the length of  
25 22 enrollment, the member is subject to payment of the  
25 23 premium for a minimum of four consecutive months.  
25 24 ~~However, an expansion population member who complies~~  
25 25 ~~with the requirement of payment of the premium for a~~  
25 26 ~~minimum of four consecutive months during a~~  
25 27 ~~consecutive twelve-month period of enrollment shall be~~  
25 28 ~~deemed to have complied with this requirement for the~~  
25 29 ~~subsequent consecutive twelve-month period of~~  
25 30 ~~enrollment and shall only be subject to payment of the~~  
25 31 ~~monthly premium on a month-by-month basis.~~ Timely  
25 32 payment of premiums, including any arrearages accrued  
25 33 from prior enrollment, is a condition of receiving any  
25 34 expansion population services. Premiums collected  
25 35 under this subsection shall be deposited in the  
25 36 premiums subaccount of the account for health care  
25 37 transformation created pursuant to section 249J.23.  
25 38 An expansion population member shall also pay the same  
25 39 copayments required of other adult recipients of  
25 40 medical assistance.

25 41 2. The department may reduce the required out-of-  
25 42 pocket expenditures for an individual expansion  
25 43 population member based upon the member's increased  
25 44 wellness activities such as smoking cessation or  
25 45 compliance with the personal health improvement plan  
25 46 completed by the member. The department shall also  
25 47 waive the required out-of-pocket expenditures for an  
25 48 individual expansion population member based upon a  
25 49 hardship that would accrue from imposing such required  
25 50 expenditures. Information regarding the premium  
26 1 payment obligation and the hardship exemption,  
26 2 including the process by which a prospective enrollee  
26 3 may apply for the hardship exemption, shall be  
26 4 provided to a prospective enrollee at the time of  
26 5 application. The prospective enrollee shall  
26 6 acknowledge, in writing, receipt and understanding of  
26 7 the information provided.>

26 8 #94. Page 65, by inserting after line 35 the  
26 9 following:

26 10 <Sec. \_\_\_\_\_. Section 249J.24, subsections 1 and 6,  
26 11 Code Supplement 2005, are amended to read as follows:

26 12 1. An IowaCare account is created in the state  
26 13 treasury under the authority of the department of  
26 14 human services. Moneys appropriated from the general  
26 15 fund of the state to the account, moneys received as  
26 16 federal financial participation funds under the  
26 17 expansion population provisions of this chapter and  
26 18 credited to the account, moneys received for  
26 19 disproportionate share hospitals and credited to the  
26 20 account, moneys received for graduate medical  
26 21 education and credited to the account, proceeds  
26 22 ~~transferred~~ distributed from the county treasurer as  
26 23 specified in subsection 6, and moneys from any other  
26 24 source credited to the account shall be deposited in  
26 25 the account. Moneys deposited in or credited to the  
26 26 account shall be used only as provided in  
26 27 appropriations or distributions from the account for  
26 28 the purposes specified in the appropriation or  
26 29 distribution. Moneys in the account shall be  
26 30 appropriated to the university of Iowa hospitals and  
26 31 clinics, to a publicly owned acute care teaching  
26 32 hospital located in a county with a population over  
26 33 three hundred fifty thousand, and to the state  
26 34 hospitals for persons with mental illness designated  
26 35 pursuant to section 226.1 for the purposes provided in  
26 36 the federal law making the funds available or as  
26 37 specified in the state appropriation and shall be  
26 38 distributed as determined by the department.

26 39 6. a. Notwithstanding any provision to the

26 40 ~~contrary, from each semiannual for the~~ collection of  
26 41 taxes levied under section 347.7 for which the  
26 42 collection is performed after July 1, 2005, the county  
26 43 treasurer of a county with a population over three  
26 44 hundred fifty thousand in which a publicly owned acute  
26 45 care teaching hospital is located shall ~~transfer~~  
26 46 distribute the proceeds collected pursuant to section  
26 47 347.7 in a total amount of thirty-four million dollars  
26 48 annually, which would otherwise be distributed to the  
26 49 county hospital, to the treasurer of state for deposit  
26 50 in the IowaCare account under this section as follows:

27 1 (1) The first seventeen million dollars in  
27 2 collections pursuant to section 347.7 between July 1  
27 3 and December 31 annually shall be distributed to the  
27 4 treasurer of state for deposit in the IowaCare account  
27 5 and collections during this time period in excess of  
27 6 seventeen million dollars shall be distributed to the  
27 7 acute care teaching hospital identified in this  
27 8 subsection.

27 9 (2) The first seventeen million dollars in  
27 10 collections pursuant to section 347.7 between January  
27 11 1 and June 30 annually shall be distributed to the  
27 12 treasurer of state for deposit in the IowaCare account  
27 13 and collections during this time period in excess of  
27 14 seventeen million dollars shall be distributed to the  
27 15 acute care teaching hospital identified in this  
27 16 subsection.

27 17 b. The board of trustees of the acute care  
27 18 teaching hospital identified in this subsection and  
27 19 the department shall execute an agreement under  
27 20 chapter 28E by July 1, 2005, and annually by July 1,  
27 21 thereafter, to specify the requirements relative to  
27 22 ~~transfer distribution~~ of the proceeds and the  
27 23 distribution of moneys to the hospital from the  
27 24 IowaCare account. The agreement shall include  
27 25 provisions relating to exceptions to the deadline for  
27 26 submission of clean claims as required pursuant to  
27 27 section 249J.7 and provisions relating to data  
27 28 reporting requirements regarding the expansion  
27 29 population. The agreement may also include a  
27 30 provision allowing such hospital to limit access to  
27 31 such hospital by expansion population members based on  
27 32 residency of the member, if such provision reflects  
27 33 the policy of such hospital regarding indigent  
27 34 patients existing on April 1, 2005, as adopted by its  
27 35 board of hospital trustees pursuant to section 347.14,  
27 36 subsection 4.

27 37 c. Notwithstanding the specified amount of  
27 38 proceeds to be ~~transferred distributed~~ under this  
27 39 subsection, if the amount allocated that does not  
27 40 require federal matching funds under an appropriation  
27 41 in a subsequent fiscal year to such hospital for  
27 42 medical and surgical treatment of indigent patients,  
27 43 for provision of services to expansion population  
27 44 members, and for medical education, is reduced from  
27 45 the amount allocated that does not require federal  
27 46 matching funds under the appropriation for the fiscal  
27 47 year beginning July 1, 2005, the amount of proceeds  
27 48 required to be ~~transferred distributed~~ under this  
27 49 subsection in that subsequent fiscal year shall be  
27 50 reduced in the same amount as the amount allocated  
28 1 that does not require federal matching funds under  
28 2 that appropriation.>

28 3 #95. Page 66, by inserting after line 10 the  
28 4 following:

28 5 <Sec. \_\_\_\_\_. Section 272C.1, subsection 6, Code  
28 6 Supplement 2005, is amended by adding the following  
28 7 new paragraph:

28 8 NEW PARAGRAPH. ad. The director of public health  
28 9 in certifying emergency medical care providers and  
28 10 emergency medical care services pursuant to chapter  
28 11 147A.

28 12 Sec. \_\_\_\_\_. Section 691.6, Code Supplement 2005, is  
28 13 amended by adding the following new subsection:

28 14 NEW SUBSECTION. 8. To retain tissues, organs, and  
28 15 bodily fluids as necessary to determine the cause and  
28 16 manner of death or as deemed advisable by the state  
28 17 medical examiner for medical or public health  
28 18 investigation, teaching, or research. Tissues,  
28 19 organs, and bodily fluids shall be properly disposed  
28 20 of by following procedures and precautions for

28 21 handling biologic material and blood=borne pathogens  
28 22 as established by rule.  
28 23 Sec. \_\_\_\_\_. CHILD SUPPORT RECOVERY UNIT REPORT ==  
28 24 LIMITATION. If 2006 Iowa Acts, House File 2332, is  
28 25 enacted, the section of the Act relating to the child  
28 26 support recovery unit submitting a report on the  
28 27 effects of the nonsupport provision under section  
28 28 726.5, as amended in that Act, shall be limited in  
28 29 scope to cases in which the child support recovery  
28 30 unit is providing services pursuant to chapter 252B.  
28 31 Sec. \_\_\_\_\_. 2004 Iowa Acts, chapter 1175, section  
28 32 432, subsection 3, is amended to read as follows:  
28 33 3. Applicants issued a temporary license pursuant  
28 34 to this section shall pass a licensure examination  
28 35 approved by the board on or before July 1, 2007, in  
28 36 order to ~~remain licensed as an interpreter qualify to~~  
28 37 ~~be licensed by examination.~~>  
28 38 #96. Page 66, line 33, by inserting after the  
28 39 figure <500,000,> the following: <shall be credited  
28 40 to the general fund of the state, and the remainder>.  
28 41 #97. Page 67, by inserting after line 21 the  
28 42 following:  
28 43 <Sec. \_\_\_\_\_. Section 157.5A, Code 2005, is  
28 44 repealed.>  
28 45 #98. Page 67, by striking lines 22 through 24 and  
28 46 inserting the following:  
28 47 <Sec. \_\_\_\_\_. EFFECTIVE DATE. The provisions of this  
28 48 division of this Act amending sections 249J.5, 249J.8,  
28 49 249J.20, and 249J.24, being deemed of immediate  
28 50 importance, take effect upon enactment.  
29 1 Sec. \_\_\_\_\_. EFFECTIVE DATE == RETROACTIVE  
29 2 APPLICABILITY. The sections of this division of this  
29 3 Act amending section 249J.6, being deemed of immediate  
29 4 importance, take effect upon enactment and are  
29 5 retroactively applicable to March 1, 2006.>  
29 6 #99. Title page, line 4, by inserting after the  
29 7 word <home,> the following: <the department of human  
29 8 rights,>.  
29 9 #100. Title page, line 7, by striking the words  
29 10 <providing effective dates> and inserting the  
29 11 following: <including effective, applicability, and  
29 12 retroactive applicability date provisions>.  
29 13 #101. By renumbering as necessary.  
29 14 HF 2734.S  
29 15 pf/cc/26